श्री राजू परमार: आपके जार्ज फर्नान्डीज़ ने क्या बोला था कि ऐसा तो होता ही रहता है...(व्यवधान)...

श्री लाल कृष्ण आडवाणी : उपसभाध्यक्ष महोदय, मुझे इस विषय में और कुछ नहीं कहना हैं।

SHRI KAPIL SIBAL: Sir, I asked you about article 355. ...*(Interruptions)*... You did not answer any of my questions. ...*(Interruptions)*...

SOME HON. MEMBERS: No; No. ...*(Interruptions)*... Shame; shame. ...*(interruptions)*...

(At this stage, some hon. Members left the Chamber.)

उपसभाध्यक्ष (श्री रमा शंकर कौशिक) : अभी माननीय गृह मंत्री जी अल्पकालिक चर्चा का जवाब दे रहे थे। चर्चा समाप्त हुई। अब हम दूसरी मद लेते हैं।

GOVERNMENT BILLS

THE INDIAN MEDICINE CENTRAL COUNCIL(AMENDMENT) BILL, 2002

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH & FAMILY WELFARE (SHRI A. RAJA) : Sir, I beg to move for leave to introduce a Bill further to amend the Indian Medicine Central Council Act, 1970.

प्रस्ताव पर मत लिया गया और वह पारित हुआ

SHRI A. RAJA: Sir, I introduce the Bill.

THE PREVENTION OF MONEY LAUNDERING BILL, 1999

THE MINISTER OF FINANCE AND COMPANY AFFAIRS (SHRI JASWANT SINGH): Sir, I beg to move:

> "That the Bill to prevent money-laundering and to provide for confiscation of property derived from, or involved in, money-laundering and for matters connected therewith or incidental thereto, as reported by the Select Committee, be taken into consideration."

Sir, the Prevention of Money Laundering Bill, 1998, was introduced in the Twelfth Lok Sabha, and, thereafter, referred to the Standing

Committee on Finance. After incorporating the several recommendations made by the Standing Committee, the Bill was redrafted and introduced in the Thirteenth Lok Sabha, as Prevention of Money Laundering Bill, 1999. It was passed by the Lok Sabha on 2nd December, 1999. Subsequently, it was tabled in this House, which then referred it to a Select Committee of the House. This Select Committee presented its report, along with the redrafted Bill, to the Rajya Sabha on 24th July, 2000. (The Report of this Select Committee has also been examined. It has been decided to accept all except a part of one of the recommendations. There are two clarificatory amendments. I will briefly outline these amendments. (1). Amending the definition of the 'offence of money-laundering' so as to ensure that innocent persons who are *bona fide* and unknowingly deal with persons who have committed the offence of money-laundering and enter into transactions with them, do not come within the purview of the proposed Act.

डा. अबरार अहमद (राजस्थान) : उपसभाध्यक्ष महोदय, यह जो बिल लाया जा रहा है इसको सलेक्ट कमेटी ने रिजेक्ट कर दिया है।

संसदीय कार्य मंत्री एवं संचार और प्रौद्योगिकी मंत्री (श्री प्रमोद महाजन) : अभी आप दो मिनट लेट आए हैं।...जरा आप सुनेंगे।

श्री संतोष बागड़ोदिया (राजस्थान): एक मिनट मेरी भी सुनेंगे। हमारे पास जो बिल आया है उसमें सलेक्ट कमेटी के बारे में कुछ नहीं लिखा है तो हम किस के बारे में चर्चा करेंगे।...(व्यवधान)....

श्री प्रमोद महाजन: अभी –अभी मंत्री जी ने यह कहा कि यह 1999 में बिल आया, सलेक्ट कमेटी की रिपोर्ट आई और सलेक्ट कमेटी की रिपोर्ट का एक अमेंडमेंट का छोटा सा पार्ट छोड़ कर पूरी की पूरी सलेक्ट कमेटी की रिपोर्ट सरकार ने मान ली है और उसके अनुसार इसमें संशोधन किए हैं और किए जा रहे हैं।

श्री के. रहमान खान(कर्णाटक): इसमें सलेक्ट कमेटी ने कहा है कि आर्फेसिज दो शैड्यूल में करें, इसमें एक ही शैड्यूल दिया गया है।....(व्यवधान)...

SHRI PRAMOD MAHAJAN: How can we run the House like this?

SHRI KAPIL SIBAL: Mr. Vice-Chairman, Sir, the problem is that what was proposed by the Select Committee and the latest position in this regard have not been saturated.

उपसभाध्यक्ष (श्री रमा शंकर कौशिक) : सभा माननीय सदस्यों से मेरा निवेदन है कि पहले मंत्री जी को अपनी बात पूरी कर लेने दीजिए।

श्री संतोष बागड़ोदिया : बात तो करने देंगे....(व्यवधान)...उन्होंने कहा कि सलेक्ट कमेटी की रिपोर्ट मान ली गई है। मैं यह बात पूछना चाहता हूं कि ...(व्यवधान)...

उपसभाध्यक्ष (श्री रमा शंकर कौशिक) : मंत्री जी अब बताएंगे ।

श्री संतोष बागड़ोदिया : एक मिनट मेरी सुन लीजिए । जब हम चर्चा करने बैठे हैं तो अगर यह बात पहले मालूम होती उस हिसाब से अमेंडिड बिल देते तब तो हम चर्चा करते । हमें तो अभी मालूम ही नहीं हैं । हम चर्चा क्या करें ।

उपसभाध्यक्ष (श्री रमा शंकर कौशिक) : जो अमेंडेड बिल है वह आपके घर पहुंच गया है ।

श्री संतोष बागड़ोदिया : नहीं पहुंचा हैं ।

-SHRI PRAMOD MAHAJAN: But the amended Bill has already been circulated.

SHRI JASWANT SINGH: Mr. Vice-Chairman, Sir....*(Interruptions)*...

उपसभाध्यक्ष (श्री रमा शंकर कौशिक) : पहले मंत्री जी की बात सुन लीजिए, बाद में आप अपने भाषण में कर सकते हैं ।

SHRI JASWANT SINGH: Mr. Vice-Chairman, Sir, I would not ordinarily do this, but I think what you are permitting to happen here is procedurally incorrect from every point of view. If the hon. Members wish to reject this Bill, they are well within their right to reject it. I think, it is very disappointing. Anyway, let me briefly outline the amendments. I have already read out the amendment relating to the definition of the 'offence of money laundering.' Then, the offences coming within the purview of the proposed Act are divided into Part A and Part B. Part A deals with the offences under sections 121 and 121 A of the IPC and offences under Narcotics Drugs and Psychotropic Substances Act; while Part B deals with certain other offences under the IPC, Arms Act, Wild Life Protection Act, Immoral Traffic Prevention Act and the Prevention of Corruption Act; provided the total value involved in the offence is Rs.30 lakhs or more. I am using the phrase "The Bill, as reported by the Select Committee." Sir, for the benefit of the hon. Members, I might clarify that when the phrase "The Bill, as reported by the Select Committee" is used, in parliamentary terms, it means "as amended by the Select Committee." This is a standard parliamentary practice, and, therefore, when I beg to move, I beg to move that the Bill to prevent money-laundering and to provide for confiscating of property derived from, or involved in, money-laundering and for matters connected therewith or incidental thereto, as reported by the Select Committee of the Rajya Sabha, be taken into consideration.

[THE VICE-CHAIRMAN (SHRI T. N. CHATURVEDI) in the Chair.]

Sir, I do not know what the hon. Members are aggrieved or agitated about. It is only a question of patience, and had they waited, this could have been answered'. Sir, all the amendments of the Select Committee have been accepted because I cannot say "as reported" and yet not accept the amendments of the Select Committee. It is self-evident.

Two amendments, however, of clarifica'tory nature, are being moved by the Government, one being moved in clause 6 of the Bill, which relates to appointment of members of the Adjudicating Authority, and the other is in clause 73, regarding the rule-making powers of the Central Government. I commend the Bill, as reported by the Select Committee of the Rajya Sabha, for consideration and passing by the House.

The question was proposed.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): Any Member who wishes to speak on this Bill can now do so, after which the hon. Minister will reply.

SHRI SANTOSH BAGRODIA (Rajasthan): Mr. Vice-Chairman, Sir, thank you very much for giving me this opportunity.

I would first like to explain the meaning of money-laundering. Sir, the word 'laundering' itself means 'cleaning'. And, the meaning of the money-laundering is this. Whatever black money is generated by different systems, either through narcotics or through drugs or through business activities or through any other activities like crimes, etc, and if it is laundered, i.e., if it is brought back into the economy as white money, it is called money-laundering. This is the meaning of 'money-laundering'. And, it is happening internationally. This is what is happening in most parts of the world. This involves activities at the international level because, the money generated in one country goes to another country and then subsequently to the third country, fourth country, and it finally comes back to the original person who had generated that money. This is, what is called, 'money-laundering'. The effect of money-laundering, Sir, is obviously enormous. It affects the entire economy of the country; it affects the banking system; it affects the share markets; it affects the normal economy, the normal activity of any industry because, when these money-launderers or these black money owners bring back that money, they use it in such a way that they can control the economy of a country, small or big. So, this

is a very serious matter. Under no circumstances, one can say that the Bill to prevent money-laundering should not be accepted. It has to be accepted. I welcome the Bill. I support the Bill. But I would like to caution the Government. There is no question of opposing it. Nobody will say that money-laundering should be allowed. It goes without saying. Sir, you will be surprised to know that the scope of money-laundering in the world is two to five per cent of the total GDP, i.e., it is in billions and billions and billions of dollars. This is the volume of money-laundering all over the world. In fact, the volume of the money laundered is much more than the volume of money in the real real economy. Therefore, you can understand the seriousness of the problem. Illicit trafficking in drugs and arms has taken a heavy toll of the economy of various countries. According to one estimate, the amount included in illegal trafficking in drugs is staggering --$5 billion per year. The amount included in illicit trade in arms is again a staggering. It is $7 billion. This is the volume of the money laundered all over the world.

Sir, we have the Golden Crescent comprising Afghanistan, Pakistan and Iran. Similarly, we have the Golden Triangle, comprising Myanmar, Laos and Thailand. As far as trafficking in drugs is concerned, India, unfortunately, has been a transit country. The Purulia case of illegal trade in arms is very well known. So, we in India, have to be very very careful.

Now, how did this question of bringing in a Bill on money laundering come in? In 1998, there was a United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. The Vienna Convention of 1988 provided a comprehensive legal definition of money laundering. This definition formed the basis of subsequent legislations on money laundering laws in various countries. This Convention was held in 1988; but, in our country, somehow we started dealing with it in 1998 - ten years afterwards. Therefore, it is high time to have such a legislation.

The Brussels Statement of Principles enunciated in 1999, outlined the basic policies and procedures that banks should follow in order to assist the law-enforcing agencies in tackling the problem of money laundering. After that, a Financial Action Task Force (FATF) on money laundering was established at the G-7 Summit held in Paris in 1999, to address the global problem of money laundering. They made 40 recommendations.

The latest initiative taken by the United Nations was at its Special Session on countering together the drug problem. The Session, which concluded in June 1998, made a declaration to deal firmly with money laundering. After that, nothing much has happened.

Like the NPT, this is also an international problem. This problem cannot be solved unless it is tackled by all the. countries of the world. If countries like Pakistan, Burma, or even smaller countries like Nepal, Bhutan, Sri Lanka, Afghanistan, do not tackle this problem, it will become very difficult for India to handle this situation independently.

We have now well understood the necessity for an Act dealing with this problem. But my point is, have we provided enough safety clauses? Mr. Finance Minister, why I am talking of safety precautions is because of our experience in the case of POTA. You passed the POTA at a Joint Session with a lot of fanfare. At that time, we cautioned you to be careful. We asked you to have some safety provisions in the Bill. But you did not want to listen. You know what has happened. Your own colleague has now fallen a victim of this POTA legislation, and you can do nothing. Therefore, my question is, whether we are taking enough precautions in this Bill. Maybe, you have accepted all the recommendations of the Select Committee. Despite this, I would like to point out a few more things which you may like to consider. Sir, we have plenty of laws to deal with different crimes in the country. For the last fifty years or even before that, a number of laws have been enacted to deal with different crimes. And this is a super law on money-laundering where you have covered the laws which are under the other Acts also. If your intention is to have it only for terrorism, if your intention is to have it only for narcotics and drugs, then, confine it to that only. You know how our system functions, how the police officers, how the other intelligence agencies, function. You can go to the court later. But the first stage is the constable or, maybe, a director. He reads the law; he decides the law which is enacted here and takes action. And, once he takes action, the ordinary citizen of the country may suffer immensely. How many people do we have in the jails like that because of the different laws? Thousands and thousands are languishing in the jails for years and years. Nobody is there to look after them. If a similar situation arises because of this law, what safety precautions do we have to ensure that these officers are not going to misuse this particular law also?

In addition to the traditional banking institutions, anti-money-laundering measures should apply as far as it is practicable to non-banking

financial institutions and other professions or enterprises which may be used for money-laundering. I have no objection to this. I think this is one of the recommendations of the Select Committee also. Since you have said that you have accepted them, it is good. But, professional associations should be urged to exclude from their membership those who are involved in money-laundering. Even this is very important. You can make the law, but the implementation is not that easy. Unless every citizen is tutored, is made familiar about these laws, it is difficult. These associations have to know all these things. They have to be told that they also have to help you. Then only this kind of a law will become a success.

States should consider measures which would make alternative remittance systems, where they are not prohibited (Hawala, etc.), subject to the same anti-money-laundering rules as other financial institutions, for the purpose of preventing their abuse by money-launderers. It is applicable not only in our country, but in the nearby countries also. If Hawala continues in any form, money-laundering will also continue in bigger amounts. That is why this kind of situations involving a volume of 700 billion dollars or 500 billion dollars arise. We have to stop Hawala transactions by any method. Then only this law will be meaningful.

Government and international, organisations should take measures to sensitise the public, legislators, policy-makers and the media with regard to the dangers posed by money-laundering.

Sir, I have already said, "Don't make it a police State". I am not repeating it. A number of Chambers have come to me also. A number of people have visited ordinary citizens and they say that a person can be picked up on suspicion of indulging in money-laundering and acquiring property with that money and the offence is non-bailable until the appellate authority decides the case. Besides, the onus of proving his innocence is on the suspect. This could well mean that people would remain behind bars till the appellate authority decides the case, as an appeal to the High Court was possible only after the appellate authority delivered its judgment.

I would like to know one thing from the hon. Finance Minister. What precautions do we have against the fear of unwarranted arrest, which is a big issue in the minds of the ordinary citizens? Sir, there are forty recommendations of the Financial Action Task Force. I am not going to mention all the recommendations. I would like to quote a few of them which are internationally required. I would quote the selected recommendations.

"Firstly, each country should take immediate steps to ratify and to implement fully, the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (the Vienna Convention)."

The next recommendation is: "Wherever possible, corporations themselves-not only their employees-- should be subject to criminal liability. But, whatever has happened in the corporate world of America, the corporation itself is equally responsible."

Now, according to me, the next recommendation is very important. It says: "Financial institutions should pay special attention to all complex, unusual large transactions, and all unusual patterns of transactions, which have ..no apparent economic or visible lawful purpose." I would like to underline the words--"unusual large transactions and all unusual patterns of transactions. " The background and purpose of such transactions should, as far as possible, be examined, the findings established in writing, and be available to help supervisors, auditors and law enforcement agencies."

The next recommendation says that "the financial institutions should develop programs against money laundering. These programs should include, as a minimum:-

(i). the development of internal policies, procedures and controls, including the designation of compliance officers at management level, and adequate screening procedures to ensure high standards when hiring employees.

(ii) an on-going employee training programme;

(iii) an audit function to the system."

Obviously, we do not want to have auditors like Anderson. We want auditors who are genuinely doing their job. We need to cope with the problem of countries with no or insufficient anti-money laundering measures. Sir, being an ex-Foreign Minister, I am sure you have a lot of influence around the countries, and with your efforts, a lot of improvement can be made.

The next recommendation is that "the financial institutions should ensure that the principles mentioned above are also applied to the branches and majority owned subsidiaries located abroad, especially, in countries which do not or insufficiently apply these recommendations, to the extent that local applicable laws and regulations permit. When the local applicable

laws and regulations prohibit this implementation, competent authorities in that country of the mother institution should be informed by the financial institutions that they cannot apply these recommendations."

The last recommendation, out of the selected forty recommendations, is this:

"Each country should make efforts to improve a spontaneous or "upon request" international information exchange relating to suspicious transactions, persons and corporations involved in those transactions between competent authorities. Strict safeguards should be established to ensure that this exchange of information is consistent with national and international provisions on privacy and data protection."

Sir, when we talk about the report of the Select Committee, I am sure, we are talking about the recommendations of the second Select Committee. I do not know which Committee it is.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): The hon. Minister has clarified the dates.

SHRI SANTOSH BAGRODIA: Probably, it is the Second Committee. On page 25, item No. 15, clause 2, a reference has been made to the offence specified under part (b) of the Schedule. It says:" If the total value involved in such offences is Rs. 30 lakhs or more..." According to me, this recommendation of Rs. 30 lakhs is, probably, one or two years old. Today, the value of Rs.1 crore is less than even Rs.30 lakhs. The purchasing power of Rs.1 crore today is less than that of Rs.30 lakhs, that too, two years before. So, I request that this amount should be increased to Rs.1 crore; otherwise, it will be impossible for all the financial institutions to keep that kind of record. Industries are put up with an investment of Rs. 10,000 crores. One industry invests Rs.1,000 crores; others are investing Rs.2,000 crores, Rs.3,000 crores, etc. Therefore, this amount of Rs.30 lakhs is meaningless. Please increase it to, at least, Rs.1 crore.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): You have spoken at great length. There are other Members also. Please wind up now.

SHRI SANTOSH BAGRODIA: Now, clause 12(1):

"Provided that where the principal officer of a banking company or financial institutions or intermediary, as the case may be, has reason to believe that a single transaction or series of transactions integrally connected to each other have been valued below the prescribed value so as to defeat the provisions of this section, such officer shall furnish information in respect of such transactions to the Director within the prescribed time."

I fully support this clause, because the value is only notional. It does not mean that somebody is making a mischief with lower value; the officer knows that, but he will keep quiet, under the clause. I don't think that that is the intention of the Act,

Then, I refer to clause 16.1 - power of survey. I can't understand why the word "survey" has been used. I can understand if the words "search and seizure" have been used. If you have information, you can search, you can seize. But why do you want to survey? What kind of things you are going to survey?

"Notwithstanding anything contained in any other provisions of this Act, where an authority, on the basis of material in his possession, has reason to believe (the reasons for such belief to be recorded in writing) ... "

This is a good provision, Sir. Everything has to be recorded in writing.

".... that an offence under section 3 has been committed, he may enter any place—

(iv) within the limits of the area assigned to him."

But where is the survey required? It is a clear-cut case of search. If you change the word there, the problem would be solved.

Now, I refer to clause 19(1) - power to arrest. The power to arrest is with the Director, Deputy Director, Assistant Director or any other officer. This is so broad. The power to arrest, I should say, should be only with the Director or with the Deputy Director, and not with any other officer authorised by the Central Government. I am saying this, because any officer can go and arrest the person, and, then, get the power, the authority, from the Director, to maintain the sanctity of that arrest. The words "any other officer" should be omitted. But "the reason for such belief to be recorded in writng" is a very good provision.

Chapter IV : APPELLATE TRIBUNAL.

"Provided that the Appellate Tribunal may, after giving an opportunity of being heard, entertain an appeal after the expiry of the said period of forty-five days if it is satisfied that there was sufficient cause for not filing it within that period."

Tnis is a clause which we have seen for the .first time, because the Government never gives this kind of powers. It is a good clause for ordinary citizens.

I then come to clause 62 - punishment for vexatious search.

"Any authority or officer exercising powers under this Act or any rules made thereunder, who, without reasons recorded in writing.....[]

I think, for -the word "reason", the words "without reasonable reasons" should be substituted. I mean, the reasons which appear to be reasonable, at least. This is again very bad. One can put any reasons and say, "I have given my reasons in writing". Simply giving the reasons in writing is not enough. Valid reasons should be given. Then only the question of searching and detaining person would arise. It should not be done simply on doubts, or, giving reasons which are not valid. If it is so, the punishment provided is acceptable to me.

The last point which I want to make is this. As I have stated earlier, originally, this particular Bill was meant for dealing with smuggling of narcotics and waging or attempting to wage or abetting to waging a war against the Government of India. I have no objection, if you include conspiracy to commit an offence punishable under certain sections. I don't know the sections. But the point is this. Beyond that, inclusion of Part B is superfluous. All these things are already there in the laws. Why do you want this Part B also? Of course, you can include the Arms Act. You can include even Part A. The inclusion of the other things in the overall parameters of this Bill does not seem, to me, to be logical. This Bill will be a draconian Bill, unless these safety measures are taken. I, therefore, request the hon. Minister to look into these points.

In the Bill, which was circulated to us before, there is a provision, "Provided further that where such property is held jointly by more than one person, such notice shall be served to all persons holding such property". It is a very normal practice to hold a property by 10 or 15 or 20 persons

jointly. If a partner doesn't have any way to find out what the other 19 people are doing, how can you hold him responsible? How can you hold the other 19 people responsible for the acts of one person? So, this point has to be taken into consideration. We don't have any machinery to find out this. Is there any guarantee that if I give notice to the Government, they will give me the credentials of the other partners, before I enter into a partnership of this kind? If it is not there, how do I take the responsibility for the acts of somebody else? I don't think in today's world even the parents can't take the responsibility for the acts of their children. I know one case. I don't want to name him. Way back in 1980, the son of a big leader smuggled something into the airport. He was the Chief Minister of some State at that time. He disowned his son. He said, "He is not my son". How can you hold a person responsible for the acts of his son? This point also has to be taken into consideration.

Similarly, the definition of "intermediary" includes a stock-broker, sub-broker, share transfer agent, banker to an issue, trustee to a trust deed, etc. I think we are trying to cover the entire thing. This particular Bill is specifically for the purpose of dealing with smuggling of narcotics. You can include things like waging a war against the Government or something very serious. The impact of these provisions will come down, if you make it so broad and bring any act that one does anywhere in the country under this Bill. Please don't do that. Please try to be more specific. For example, a Hindu undivided family includes wife, brother, son, etc. How can you hold the wife responsible for the acts of the husband? They are different individuals. How can you hold the husband responsible for the acts of the wife? In Chapter II, Offence of Money-Laundering, it is stated, "knowingly enters into any transaction which is related to proceeds of crime either directly or indirectly". Again, you are covering the entire thing. What do you mean by 'indirectly'? You would not be able to implement this kind of a law. If you implement it, it would become vague. All the bureaucrats would take advantage of this law.

I have already talked about the scheduled offences. I will take two minutes more.

I come to clause 19(1). I will read only the operational part of clause 19(1). It says, "...He may arrest such person and shall, as soon as may be, inform him of the grounds for such arrest". Why should it be 'as soon as may be'? Why should you not give the grounds of arrest at the time of arrest? You are going to arrest him on some grounds, not on

suspicion. Why should there be these words 'as soon as may be'? You are not saying, "In one day or two days or three days or one month or two months" You are simply saying. "As soon as may be". I would request you to consider it. The grounds of arrest should, in any case, be given at the time of arrest because every offence punishable under this Act shall be cognizable. The moment you decide that this is an offence under this Act, the first thing anybody will do in this country would be, he would arrest him without assigning any reason. Later on, he might say, "We did not have enough reasons. We are sorry. You can go back". Even that can happen. Sir, you are looking at me with angry eyes.

THE VICE-CHAIRMAN (SHRI T.N. CHATRUVEDI): I was looking at Mr. Kapil Sibal.

SHRI SANTOSH BAGRODIA: I thank you for giving me this opportunity to speak on this Bill. Because of the heated arguments we had earlier and because the airconditioner is also not working, we are feeling very warm. I hope the hon. Minister will make us cool by giving effect to these amendments. Thank you.

श्री श्याम लाल (उत्तर प्रदेश) : माननीय उपसभाध्यक्ष जी, आज आपने धन-शोधन निवारण विधेयक, 1999 के संदर्भ में बोलने के लिए अवसर दिया, इसके लिए धन्यवाद । मान्यवर, आज भौतिकवादी युग में मानव समाज की आवश्कताएं, उनके सुख- सुविधाओं के संसाधनों की जरूरत जिस तरह से बढ़ती गई है, उसको देखते हुए विश्व में जो संसाधनों के आदान-प्रदान की व्यवस्था थी पहले वह दूसरे रूप में थी, लेकिन आज इलैक्ट्रोनिक युग में इसका रूप परिवर्तित हो गया है । मैं कहना चाहूंगा कि पहले अन्न के बदले अन्न या कपड़े के बदले दूसरी वस्तुओं का आदान-प्रदान होता था, सोने का ठोस रूप, चांदी का ठोस रूप, एक-दूसरे के यहां सामान लेने-देने के लिए परिवर्तित किया जाता था, उसमें भौतिक रूप से प्रत्यक्ष रूप से दिखाई पड़ता था कि हम अपना आदान-प्रदान कैसे करते हैं । लेकिन ज्यों-ज्यों हम सभ्य समाज की तरफ बढ़ते गए हैं, सभ्यता ज्यों-ज्यों बढ़ती गई है, उसका रूप परिवर्तित होता गया हैं । मान्यवर, इस देश में मूल रूप में पहले जो धन और सम्पति सुख-सुविधा की जो व्यवस्था थी, अन्न, कपड़ा और रहन-सहन की व्यवस्था के साथ जुड़ी हुई थी । इस देश में कहा गया था कि गोधन, गजधन और रत्न धन खान यहां के धन थे, सम्पति थी और उसमें हमें संतोष करना पड़ता था । खाने के लिए हमें गोधन की, गाय के दूध की जरूरत पड़ती थी, गोबर से हमारा अन्न पैदा होता था, आवागमन के लिए हम गज का इस्तेमाल करते थे, हाथी का इस्तेमाल करते थे । जंग के लिए घोड़ों का इस्तेमाल करते थे, लेकिन जैसे –जैसे परिवर्तन होता गया , हमारी आवश्यकताओं का स्वरूप बदलता गया । महोदय, जब एक देश से दूसरे देश में आने-जाने की दुर्गम व्यवस्था थी, तब भी लोग हमारे देश में आए हैं । यहां हूण आए, मुगल आए, मंगोल आए, फ्रांसीसी आए, पुर्तगीज आए और अंग्रेज आए । वे यहां आए, व्यापार किया और चले गए । लेकिन भारत देश 32 लाख 87 हजार 263 वर्ग किलोमीटर क्षेत्र में फैला है और आज उसकी जनसंख्या 1 अरब, 7 करोड़ के करीब हो गयी है जिसके उत्तर में हिमालय जैसी ऊंची

5.00 p.m.

अट्टालिका जोकि करीब 60 करोड़ वर्ष पहले बनी थी, हमारी सुरक्षा के लिए खड़ी है ।दक्षिण, पश्चिम और पूरब की तरफ अथाह समुद्र हमारी सुरक्षा के लिए खड़ा है । यहां पर लोग आए, बसे, लेकिन आजादी के बाद जबकि हमारा देश हालांकि गरीब था, हम अपने आत्म-सम्मान ओर अपनी गरिमा के साथ जी रहे थे । हमारे देश के लोग भले ही गरीब थे, लेकिन यह देश गरीब नहीं था । मैं कहना चाहूंगा कि आजादी के समय हमारे ऊपर कर्जा नहीं था । सन् 1951 में जब हमारे देश की जनसंख्या 36 करोड़ थी तब हमारे ऊपर 32 करोड़ रूपए का कर्जा हो गया था जोकि देश के विकास के लिए लगा, लेकिन उस समय एक आदमी पर 80 पैसे का कर्जा था जबकि आज हमारे ऊपर 7 से साढ़े 7 हजार का कर्जा हो गया है । इसका एक दूसरा पहलू भी हमारे देश में है । जब आज हमारे देश की जनसंख्या 1 अरब करोड़ हो गयी है, हमारे ऊपर बेशुमार कर्जे का बजट आ गया है, लेकिन वहीं दूसरा स्वरूप भी है । हमारे देशवासियों की कई गुना धन और संपत्ति विदेशों के बैंकों मे जमा है । यह इस बात का प्रमाण है कि हमारे देश के लोग ऐसे धन, संपत्ति कमा रहे हैं जिसका कहीं अता-पता नहीं है और उस कमाई गई धन संपत्ति का स्रोत यहीं भारत में है । मान्यवर, मैं कहना चाहूंगा कि इस धरती को उस समय सोने की चिड़िया कहा जाता था जब हम बहुत पिछड़े हुए थे, लेकिन आज वैज्ञानिक युग में हमारे सारे संसाधन वही हैं, हमारे यहां वही पर्वत हैं,वही नदियां हैं,वही सोने और कोयले की खदान हमारे यहां पड़ी हुई हैं, हमारी गंगा-जमुना भी वही हैं, लेकिन फिर भी आज हम विदेशी कर्जे से लदे हुए हैं । इसका मतलब यह है कि हम जितनी दवा करते जाते है, रोग बढ़ता जा रहा है और कहीं-न-कहीं खामी हैं । यह खामी किसके बीच में हैं, मैंने जिक्र किया कि विदेशी आए, यहां व्यापार किया , उनमें से कुछ यहीं भारत माता की गोद में समाहित हो गए और कुछ वापिस चले गए और एक वह दिन भी था जिस राज का विश्व में कभी सूर्य नहीं डूबता था, उसने भी हमें लूटा । फिर यहां के लोगों ने, यहां के किसानों ने, यहां के नेताओं ने संघर्ष करके उनको इस देश से भगा दिया, लेकिन आज हमारे देश को कौन लूट रहा है इस पर गौर करने की बात है ? मान्यवर, आज यह हमारे देश की ही नहीं बल्कि पूरे विश्व की समस्या है । अभी जिक्र आया कि 1989 में पेरिस में बैठक हुई जिसमें 40 बिंदुओं पर बहस हुई और उन बिंदुओं से सभी देश पीड़ित हैं । उनमें तस्करी हैं, गलत ढंग या आपंराधिक ढंग से पैसा कमाने की व्यवस्था को लोगों ने अपने –अपने देशों में खोज निकाला है । उस बैठक में इस समस्या पर नियंत्रण करने के लिए एक व्यवस्था की तलाश थी । अब चूंकि आवश्यकता आविष्कार की जननी है, इस फार्मूले के आधार पर उन्होंने चर्चा की और आज उसके 23 वर्षो के बाद हमारे देश में इस विधेयक पर विचार हो रहा है । महोदय, यह बैठक पेरिस में 23 वर्ष पहले हुई थी और मैं कहना चाहता हूं कि इसके पहले भी इस देश में सरकार थी तो क्या उस समय इस देश में हो रही तस्करी को रोकने की जरूरत नहीं थी ? आज हमारे देश में माफिया लोग अपने पैर जमा रहे हैं, हमारे देश में किस तरह की तस्करी हो रही है, उस का आंकड़ा पहले भी उपलब्ध था,लेकिन आज यह जो विधेयक हमारे सामने उपस्थित किया गया है, यह अति-सामयिक हैं, आवश्यक हैं और जन-हितकारी है । मान्यवर, जहां हम तस्करी के संदर्भ में बात करते हैं, किसी भी आपराधिक प्रवृत्ति से धन-संग्रह का संदर्भ लेते हैं तो हम देखते हैं कि हमारे देश में इसके लिए कई ढंग अपनाए गए हैं । लोग कहते हैं कि चोरी रोकने के लिए जितने भी कानून बनाइए, पुलिस जितनी भी व्यवस्था करें, चोर उससे बचकर चला जाता हैं ।

उपसभाध्यक्ष (श्री टी. एन.चतुर्वेदी) : श्याम लाल जी, पांच बजे का समय हो रहा है। क्या आप कल अपना भाषण जारी रखना चाहेंगे ?

श्री श्याम लाल : ठीक है, साहब।

उपसभाध्यक्ष : (श्री टी.एन.चतर्वेदी) : या अभी समाप्त कर रहें हैं ?

श्री श्याम लाल : नहीं, सर। अभी समाप्त नहीं कर रहा हूं, अभी तो शुरू ही किया है।

उपसभाध्यक्ष (श्री टी.एन.चतुर्वेदी) : अभी आप शुरू कर रहें हैं ? ठीक हैं, कल बोलिए। The House stands adjourned till tomorrow to meet again at 11 a.m.

The House then adjourned at five of the clock till eleven of the clock on Thursday, the 25th July, 2002.